Before the FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554

In the Matter of)	
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Revision of the Commission's Rules to)	CC Docket No. 94-102
Ensure Compatibility with Enhanced)	
911 Emergency Calling Systems)	
)	
Wireless E911 Phase II Implementation)	
Plan of Nextel Communications, Inc. and	,	
Nextel Partners, Inc.		

NEXTEL PARTNERS, INC. PHASE I AND PHASE II E911 QUARTERLY REPORT November 3, 2003

To: Chief, Enforcement Bureau
Chief, Wireless Telecommunications Bureau

INTRODUCTION

Pursuant to the October 12, 2001 Order of the Federal Communications

Commission ("Commission" or "FCC") in CC Docket No. 94-102, Nextel Partners, Inc.

("Nextel Partners") respectfully submits this Enhanced 911 ("E911") Quarterly Report on its implementation of Phase I and Phase II E911.

Nextel Partners has deployed 458 public safety answering points ("PSAPs") with Phase I E911 service, and in the thirteen months since it achieved its first Phase II benchmark per Nextel's Waiver Order², Nextel Partners has deployed 89 PSAPs with Phase II E911 service. Among other notable accomplishments in this reporting period, Nextel Partners has launched two new Assisted Global Positioning Satellite ("A-GPS")

¹ In the Matter of Revision of the Commission's Rules To Ensure Compatibility With Enhanced 911 Emergency Calling Systems, Wireless E911 Phase II Implementation Plan of Nextel Partners, Inc., Order, CC Docket No. 94-102, FCC 01-295, released October 12, 2001 ("Nextel Waiver Order").

capable handsets—for a total of four A-GPS capable models available in its product portfolio—has deployed 29 additional Phase II PSAPs since the last Report. As demonstrated by our consistent activities, Nextel Partners is committed to providing public safety officials with timely communication, pre-deployment printed material, on site deployment support and Phase II E911 service as soon as possible.

Herein, Nextel Partners provides an update on all relevant events impacting handset upgrades and network infrastructure necessary to enable Phase II E911 location capabilities as well as a listing of all deployed and pending requests for Phase I and Phase II E911 service and the status of each request.

BACKGROUND

In its November 9, 2000, Waiver Request seeking a delay to begin implementing its Phase II E911 technology, Nextel Partners affirmed that it required additional time vis-à-vis other wireless carriers because its integrated digital enhanced network ("iDEN") air interface, which is used by few other carriers and only on a regional basis, is supported by a single manufacturer—Motorola. Nextel Partners, along with Motorola and other vendors, devoted substantial resources to develop, test, and install network hardware and software, and to develop, test and launch A-GPS capable iDEN handsets. Because of these complexities and the fact that there had been no GPS capability available for the iDEN platform, it was not technologically possible to develop an iDEN A-GPS handset capable of delivering FCC-compliant automatic location information ("ALI") prior to October 1, 2002.

² Per Nextel's Waiver Order, Nextel was required to begin selling and activating an A-GPS capable handset on October 1, 2002.

Pursuant to Nextel Partners' Waiver Order, in which the Commission noted that Nextel faced "special circumstances that affect its deployment of Phase II," the Commission imposed the following Phase II E911 implementation benchmarks:

October 1, 2002: Begin selling and activating A-GPS-capable handsets;

December 31, 2002: Ensure that at least 10% of all new handsets activated are

A-GPS-capable;

December 1, 2003: Ensure that at least 50% of all new handsets activated are

A-GPS-capable;

December 1, 2004: Ensure that 100% of all new digital handsets activated are

A-GPS-capable;

December 31, 2005: 95% of all subscriber handsets in service are A-GPS-

capable.4

To date, Nextel Partners has achieved its first benchmark, continues to work toward its next benchmark (ensuring that 10% of all new handsets activated since December 31, 2002 are A-GPS capable), and continues to deploy its valid requests for E911 service at a rapid pace. Myriad issues, however, including inadequate funding at local, state and federal levels, prevent the vast majority of PSAPs throughout the country from receiving and using a caller's latitude and

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³ Nextel Waiver Order at ¶19. The Commission also stated "it is reasonable to expect that Nextel might find it more difficult to meet the same schedule as carriers employing the more common air interfaces, because location technology vendors and equipment manufacturers will have substantial incentives to introduce ALI products first for those segments of the market with larger market share. In addition, iDEN is a proprietary Motorola technology and, to the extent that a location technology requires new or modified handsets and network equipment, Nextel must rely on Motorola as a sole source provider." *Id.*

⁴ Nextel Waiver Order at ¶37.

longitude information and, given the status quo, the PSAPs likely will not be ready in the near future.⁵

DISCUSSION

A. A-GPS Capable Handsets

Following the launch of its first A-GPS capable handset, the i88s, on October 1, 2002 in compliance with its first Phase II implementation benchmark, Nextel Partners introduced its second A-GPS capable handset, the i58sr, on January 1, 2003. In the three months since its August 1, 2003 Quarterly Report, Nextel Partners has commercially launched two more A-GPS capable handsets, the i205 and the i730, and an additional two A-GPS capable handset models are scheduled to launch before the end of January 2004. Importantly, as Nextel Partners introduces new A-GPS capable handsets, it is phasing out non-AGPS models to facilitate and expedite penetration of ALI capabilities into its customer base.

Nextel Partners, via a Nextel Communications' independent third-party consultant, completed accuracy testing of each A-GPS handset and met the Commission's accuracy standards. Per NextelPartners' Waiver Order, the next deployment benchmark period on which Nextel Partners must report ends on November 30, 2003. Thus, Nextel Partners will report on that benchmark in its next Quarterly Report in February 2004.⁶

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⁵ On September 30, 2003, in response to House and Senate introduction of the E911 Implementation Act of 2003 ("Act") that would authorize money to facilitate Phase II PSAP readiness, the Bush administration stated it opposed new Federal grant money per the Act for wireless E911 deployment. *See* "Bush administration opposes new E911 grants," RCR Wireless News (Oct. 1, 2003).

⁶ Nextel's Waiver Order states that "Nextel must report, in the Quarterly Report immediately following the benchmark date... for the periods of December 31, 2002 to November 30, 2003..., the percentage of new handsets activated nationwide during the respective periods that were A-GPS capable, as well as the total number of new handsets during those periods that were A-GPS capable." Nextel Waiver Order at ¶ 32.

B. Network Infrastructure

Nextel Partners remains committed to working cooperatively with PSAPs throughout the country to deploy them as efficiently as possible and, since its August Report, Nextel Partners has made significant progress deploying 29 additional PSAPs with Phase II service. Nextel Partners continues to deploy these PSAPs with its two Phase II methodologies—Emergency Service Routing Keys ("ESRK") and Emergency Services Routing Digits ("ESRD").

As Nextel Partners noted in its August 1, 2003 Quarterly Report, in an on-going effort to provide public safety with the best location information possible on its wireless system, Nextel Partners, with the assistance of its third party vendor Intrado, has implemented changes to its provision of location information that enable it to offer a dynamic "class of service" indicator that identifies calls as either Phase I or Phase II in a manner that had been requested by PSAPs. Initially this functionality was provided to PSAPs in territories served by Verizon, Sprint and SBC, and in the last three months Nextel has completed rollout, where technically possible, of this functionality to PSAPs in areas served by other LECs.

C. Phase I Requests

With respect to the Commission's requirement that Nextel Partners provide "information on all pending Phase I and Phase II requests," Nextel Partners has attached an <u>Appendix</u> listing all of its 547 Phase I requests and their current status. For each of

⁷ See Nextel Waiver Order at ¶32.

⁸ On June 6, 2003 the Commission released a Public Notice setting forth uniform requirements governing the Appendix format in which carriers submit Phase I and Phase II deployment information with each Quarterly Report. Per these requirements, Nextel has attached an <u>Appendix</u> listing all of its E911

the on-going Phase I deployment efforts, the <u>Appendix</u> provides, as required by the Commission, the master PSAP registry identification number ("PSAP ID"), PSAP name, PSAP state, PSAP county, request date, whether the request is valid, a projected deployment date, reasons hindering deployment within the first six months of a PSAP's request and comments. The proposed deployment dates in the <u>Appendix</u> are projected launch dates, which Nextel Partners and the relevant PSAP are striving to meet. Nextel Partners is in regular contact with each of these PSAPs and is working to deploy Phase I E911 as soon as possible. Nextel Partners has fully deployed Phase I E911 service with 458 PSAPs, with an additional 59 PSAPs pending Phase I E911 service, both of which are listed in the <u>Appendix</u>.

With regard to its Phase I deployment efforts, Nextel Partners reiterates herein that in some cases Phase I E911 deployments, similar to Phase II deployments, continue to be complicated by a number of factors – many of which are outside of Nextel Partners' control. Nextel Partners continues to work with the PSAPs to determine the validity of a request and will only mark the request

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deployments. See Public Notice, Wireless Telecommunications Bureau Standardizes Carrier Reporting on Wireless E911 Implementation, CC Docket No. 94-102, rel. June 6, 2003.

⁹ Per Nextel's Waiver Order, Nextel is required to report whether it believes each deployment request is (or is not) valid. *See* Nextel Waiver Order at ¶32. On March 24, 2003 Nextel filed a letter in WT Docket No. 03-76 stating that Nextel has been and continues to be in contact with PSAPs that have requested Phase I or Phase II service and will deploy these PSAPs as soon as possible pursuant to a mutually agreeable implementation schedule. Thus, Nextel is complying herein with the Commission's requirement that it mark as "valid" or "invalid" each PSAP request, although as a practical matter, Nextel's deployment team is working with each PSAP's Phase I and Phase II pending request listed in the <u>Appendix</u> to deploy them as soon as possible pursuant to a mutually agreed-upon time frame.

¹⁰ In some cases there are delays caused by technology issues. Such delays do not necessarily mean that the PSAP or Nextel is not "ready" for Phase I service. Rather, it often means there are issues involving incompatible technologies between Nextel, the LEC and/or the PSAP.

invalid as a last resort, in order to give the PSAP the best opportunity to deploy E911 services.

D. Phase II Requests

The Appendix also lists every pending Phase II request and the Commission's required information including the PSAP ID, PSAP name, PSAP state, PSAP county, request date, whether the request is valid, 11 a projected deployment date, reasons hindering deployment within the first six months of a PSAP's request and comments. Nextel Partners has received 194 Phase II requests and has asked that each of these PSAPs provide the documentation required in the *Richardson Order* for determining the request's validity. 12

Similar to Phase I deployments, the proposed Phase II deployment dates in the Appendix are projected launch dates, which Nextel Partners and the relevant PSAP are striving to meet. Nextel Partners reiterates that accomplishing such deployments is subject to numerous factors and parties outside of Nextel Partners' control; thus, Nextel Partners' deployment schedule establishes a goal toward which Nextel Partners will work. It is possible, however, that complexities may be encountered that could delay some PSAP deployments. Nextel Partners is committed to providing public safety officials with timely communication, pre-deployment printed material, on site deployment support and Phase II E911 service as soon as possible.

¹¹ See note 9 herein.

¹² See generally, In the Matter of Revision of the Commission's Rules To Ensure Compatibility with Enhanced 911 Emergency Calling Systems, Petition of City of Richardson, Order On Reconsideration, CC Docket No. 94-102, FCC 01-293, released November 26, 2002. See also, Revision of the Commission's Rules To Ensure Compatibility with Enhanced 911 Emergency Calling Systems, CC Docket No. 94-102, Order on Reconsideration, released Nov. 26, 2002.

Nextel Partners is in contact with each of these PSAPs and is working to deploy Phase II E911 as soon as possible within mutually agreed upon time frames. Nextel will continue to provide PSAPs with up front printed material, to set proper expectations; to provide a trained deployment staff at the PSAP location, to answer questions and facilitate deployments; and to maintain its aggressive roll out schedule to PSAPs that are capable of receiving and using location technology.

Since October 14, 2002, its first implementation benchmark, Nextel Partners has deployed Phase II service with 89 PSAPs, with an additional 93 pending Phase II service, which are included in the <u>Appendix</u>. Nextel Partners remains actively engaged with PSAPs at multiple locations and anticipates deploying Phase II service in additional areas in the near future, including Minnesota, Illinois and Arkansas, consistent with mutually agreeable timeframes.

Despite successful Phase II deployments in numerous areas such as Virginia, Alabama and Indiana, the vast majority of PSAPs throughout the country are not ready or capable to receive and use ALI because of factors, many outside of a PSAP's direct control, such as lack of local, state and federal funding as well as few E911 coordination bodies for each state that can facilitate rapid deployments. Given the status quo, the majority of PSAPs in the country likely will not be prepared to receive or use ALI in the foreseeable future.¹³

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¹³ See note 5 herein (regarding the Bush administration's opposition to new Federal grant money per the E911 Implementation Act of 2003 for wireless E911 deployment).

CONCLUSION

As required in the Nextel Partners Waiver Order, ¹⁴ Nextel Partners is providing this Quarterly Report to the Executive Directors and counsel of the Association of Public Safety Communications Officials-International, Inc. ("APCO"), the National Emergency Number Association ("NENA") and the National Association of State Nine One One Administrators ("NASNA"). Should any of these organizations or their individual PSAP members have questions or concerns about Nextel Partners' submission, Nextel Partners encourages them to contact Peter Gaffney, at the number listed below, as soon as possible to facilitate rapid and efficient deployment of Nextel Partners' Phase I and Phase II E911 services.

Respectfully submitted, Nextel Partners, Inc.
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¹⁴ Nextel Waiver Order at ¶32.